

Christopher G. Cardinale (SBN 274453) (**NO FEE - GOVERNMENT CODE SECTION 6103**)
ccardinale@agclawfirm.com
ALVAREZ-GLASMAN & COLVIN
13181 Crossroads Parkway North
Suite 400 – West Tower
City of Industry, CA 91746
562.699.5500 – Office
562.692.2244 – Facsimile

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA, SANTA ANA DIVISION

In re:

Case No.: 8:21-BK-10525-ES

THE SOURCE HOTEL, LLC,

Chapter 11

Debtor.

**NOTICE OF IMMEDIATE WITHDRAWAL
OF OPPOSITION BY THE CITY OF BUENA
PARK TO SHADY BIRD LENDING, LLC'S
MOTION FOR RELIEF FROM THE
AUTOMATIC STAY UNDER 11 U.S.C. § 362**

Hearing:

Date: June 3, 2021

Date: June 5, 19

Time: 2:00 p.m.
Place: ZoomGov

**NOTICE OF IMMEDIATE WITHDRAWAL OF OPPOSITION BY THE CITY OF BUENA PARK TO
SHADY BIRD LENDING, LLC'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11
U.S.C. § 362**

1 The City of Buena Park, a municipal corporation organized and existing pursuant to its
2 charter and California law (the “City”), hereby gives notice of and does hereby immediately
3 withdraw its previously filed *Opposition By The City Of Buena Park To Shady Bird Lending,*
4 *LLC’s Motion For Relief From The Automatic State Under Section 11 U.S.C. § 362; Declaration*
5 *of Christopher G. Cardinale In Support Thereof* [Doc No. 133] filed on May 20, 2021 (the
6 “Opposition”), in opposition to that certain *Motion For Order Relief from the Automatic Stay*
7 *Under 11 U.S.C. § 362* [Doc No. 62] filed by Shady Bird Lending, LLC (the “Lender”), on
8 April 1, 2021 (the “Motion”), and scheduled for hearing before this court on June 3, 2021 at 2:00
9 p.m. The Opposition is being voluntarily withdrawn based upon facts and circumstances that
10 became known to City following the filing of the Opposition, and more specifically,
11 communications and representations from Lender concerning its short-and-long-term intentions
12 for the Leased Property which satisfy the concerns raised in the Opposition. No inferences or
13 argument should be used from the now withdrawn opposition.

14

15 DATED: May 26, 2021

ALVAREZ-GLASMAN & COLVIN

16

17 By: /s/ Christopher G. Cardinale

18 Christopher G. Cardinale

19 Attorneys for City of Buena Park, a California
charter city and municipal corporation

20

21

22

23

24

25

26

27

28

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 13181 Crossroad Parkway North, Suite 400, City of Industry, California 91746.

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF IMMEDIATE WITHDRAWAL OF OPPOSITION BY THE CITY OF BUENA PARK TO SHADY BIRD LENDING, LLC'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **May 26, 2021**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) **May 26, 2021**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via Overnight Delivery

The Honorable Erithe A. Smith
United States Bankruptcy Court
Ronald Reagan Federal Building and Courthouse
411 West Fourth Street, Suite 5040 / Courtroom 5A
Santa Ana, CA 92701-4593

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 26, 2021
Date

Melissa L. Gonzalez
Printed Name

/s/ Melissa L. Gonzalez
Signature

ADDITIONAL SERVICE INFORMATION

TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

- Ron Bender on behalf of Debtor The Source Hotel, LLC
rb@lnbyb.com
- Christopher G. Cardinale on behalf of Interested Party City of Buena Park
ccardinale@agclawfirm.com, mgonzalez@agclawfirm.com
- Juliet Y. Oh on behalf of Debtor The Source Hotel, LLC
jyo@lnbrb.com
- Michael G. Fletcher on behalf of Creditor Evertrust Bank
mfletcher@frandzel.com, sking@frandzel.com
- Robert P. Goe on behalf of Creditor Westranco, Inc.
kmurphy@goeforlaw.com, rgoe@goeforlaw.com, goeforecf@gmail.com
- Nancy S. Goldenberg on behalf of U.S. Trustee United States Trustee (SA)
Nancy.goldenber@usdoj.gov
- United States Trustee (SA)
Ustpregion16.sa.ecf@usdoj.gov
- Daniel A. Lev on behalf of Creditor Shady Bird Lending, LLC
dlev@sulmeyerlaw.com, ccaldwell@sulmeyerlaw.com, dlev@ecf.inforuptcy.com
- Ronald N. Richards on behalf of Shady Bird Lending, LLC
ron@ronaldrichards.com, morani@ronaldrichards.com
- Grant A. Nigolian on behalf of Interested Party Courtesy NEF
grant@gnpclaw.com, process@gnpclaw.com, grant.nigolian@gmail.com
- Ho-El Park on behalf of Interested Party Courtesy NEF
hpark@hparklaw.com
- Peter F. Jazayeri on behalf of State Court Reciever Cordes & Company, LLC Through and by Bellann Raile
peter@jaz-law.com
- Amir Gamliel
amir-gamliel-9554@ecf.pacerpro.com, cmallahi@perkinscoie.com, docketla@perkinscoie.com